



STATE OF WASHINGTON
**BOARD OF REGISTRATION FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**
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**April 17, 2014
SPECIAL BOARD MEETING MINUTES**

Board Chair, Stephen Shrope, PE, SE, called the Special Board Meeting for the Board of Registration for Professional Engineers and Land Surveyors to order at 8:00 a.m. The meeting was held in the Orcas Room at the Radisson Hotel in SeaTac, WA.

BOARD MEMBERS PRESENT: Stephen Shrope, PE, SE, Chair
Scott Valentine, PLS, Vice Chair
Mel Garland, PLS
Neil Norman, PE
Dan Parker, PE
Nirmala Gnanapragasam, PhD, PE

BOARD MEMBERS EXCUSED: Chun Lau, PE, SE

ASSISTANT ATTORNEY GENERAL: Elizabeth Lagerberg, AAG

STAFF PRESENT: George Twiss, PLS, Executive Director
Michael Villnave, Deputy Executive Director
Cassandra Fewell, Executive Assistant
Jill Short, Investigations Manager
Randy Garcia, Investigator
Terry Graving, Licensing Manager
Shanan Gillespie, Management Analyst

VISITORS: Charles A. Pearson, PE, SE, Washington State
Society of Professional Engineers (WSPE)
Jim Wengler, PLS, Land Surveyors Association of
Washington
Michael Kulish, PLS

OPEN SESSION

Stephen Shrope, PE, SE, Board Chair, opened the Special Board meeting and announced the Board will go into Closed Session.

CLOSED SESSION

Executive Session

- Discussion with Kathleen Drew, Assistant Director, BPD
- Confer with AAG; Legal Issues; Deliberations

Adjudicative Session

- Review of any proposed board orders
- Review on Informal Disciplinary Recommendations

OPEN SESSION

1. Call to Order

1.1 Order of Agenda

The AAG report will be called out of order.

1.2 Approval of Consent Agenda Items

4.2.3 2014 Legislation

4.2.4 Results DOL (Performance measures)

4.3 NCEES Correspondence/Press Releases

8.1 Board Correspondence

9.1 Board Outreach Activities

MOTION: Mr. Norman moved / Mr. Garland seconded to approve the consent agenda.
Motion passed.

1.4 Approval of Minutes, Special Board Meeting, February 20, 2014.

MOTION: Mr. Norman moved / Mr. Garland seconded to approve the minutes of the Special Board Meeting, February 20, 2014 as written.
Motion passed.

1.5 Approval of Minutes, Special Board Teleconference Meeting, March 10, 2014.

MOTION: Mr. Norman moved / Mr. Garland seconded to approve the minutes of the Special Board Teleconference Meeting, March 10, 2014.
Motion passed.

2. Rule Making, Rule Hearings, BAP Appeals, Public Presentations

2.1 Rule Making

2.1.1 Review of status report

The Rules Status Report was reviewed.

2.1.2 Hearing Schedule and report

Rules hearings provide the public an opportunity to provide comment regarding proposals under consideration by the Board. April rules hearings have been scheduled throughout the state. The hearing schedule is on our "rulemaking activities" webpage:

<http://www.dol.wa.gov/business/engineerslandsurveyors/rulemaking.html>.
Mr. Villnave reported the comments received from the prior two hearings have been minor language suggestions. Comments received from all hearings will be addressed in a Concise Explanatory Statement.

3. Disciplinary and Investigation Items

3.1 Actions on Informal Disciplinary Recommendations

Board members reviewed case manager summaries of open investigations. Case managers abstain from voting on the cases where they recommend action.

MOTION: Mr. Garland moved / Mr. Norman seconded to close case number 13-10-0004 as recommended by the case manager, Mr. Valentine.
Motion passed.

MOTION: Mr. Parker moved / Mr. Norman seconded to close case number 13-06-0003 as recommended by the case manager, Mr. Garland.
Motion passed.

MOTION: Mr. Parker moved / Mr. Valentine seconded to close case number 13-07-0002 as recommended by the case manager, Mr. Garland.
Motion passed.

MOTION: Mr. Parker moved / Mr. Norman seconded to close case number 13-10-0003 as recommended by the case manager, Mr. Garland.
Motion passed.

MOTION: Mr. Norman moved / Mr. Garland seconded to close case number 13-08-0002 as recommended by the case manager, Mr. Shrope.
Motion passed.

MOTION: Mr. Norman moved / Mr. Parker seconded to close case number 13-10-0007 as recommended by the case manager, Mr. Shrope.
Motion passed.

MOTION: Mr. Norman moved / Mr. Garland seconded to close case number 13-10-0009 as recommended by the case manager, Mr. Shrope.
Motion passed.

MOTION: Mr. Garland moved / Mr. Norman seconded to close case number 13-10-0008 as recommended by the case manager, Mr. Shrope.
Motion passed.

4. Executive Director's Report

4.1 Board Administrative Issues

4.1.1 Board Policy No. 49 (CEAB degrees)

Mr. Twiss reported that EIT applicants with CEAB degrees have been incorporated into the exam pre-approval process as those with ABET/EAC degrees. Board staff has communicated with licensing authorities in Canada as well as the NCEES.

4.2 BPD / DOL Business

4.2.1 Customer Satisfaction Survey

Mr. Twiss informed the board of the DOL Customer Satisfaction Survey and staff efforts to direct stakeholders to the link on our webpage, dol.wa.gov. To take the survey, click on the "Tell us how we are doing" link in the bottom left corner. Board staff will receive email reports detailing feedback.

4.2.2 LEAN project (streamlining licensing process)

LEAN is a process improvement system supported by the Governor to deliver customer satisfaction, employee engagement and innovation, and transparency and accountability. DOL employees enrolled in LEAN training recently practiced their skills by using LEAN improvement tools to streamline the PE application.

4.2.3 2014 Legislation (consent item)

4.2.4 Results DOL (Performance measures, consent item)

4.3 NCEES Correspondence/Press Releases (consent item)

5. Assistant Attorney General's Report

5.1 Discussion on issues under consideration by the Board.

Mr. Twiss informed the Board of the Open Public Meetings Act and newly available training resources. Members were encouraged to view the video to refresh knowledge of OPMA.

Mr. Twiss also reported on an Attorney General's Opinion released March 28, 2014 regarding agency authority over fees adjustments. The opinion was requested about the scope of Initiative 1185, approved in 2012, which specified that any new or increase in existing state fees after the effective date of the initiative may only be enacted following legislative approval. The opinion concluded that agencies, who have been granted legislative authority to set fees, are not required to obtain new authority by the legislature to satisfy I 1185.

6. Committee Reports – Committee meetings held April 16, 2013

6.1 Practice Committee

- Report by Mel Garland, PLS, Chair

Total cases reviewed: 16
Total cases opened: 4
Total cases closed: 9
Total cases not opened: 12
Total cases tabled for review at next board meeting: 0

Mr. Garland reported the Committee discussed contracting with consultants to provide in-depth, impartial, technical analysis as needed.

The Committee also discussed the content of a county ordinance in eastern WA that governs boundary line adjustments. The belief of the committee was that the ordinance and procedures may be enabling unlicensed survey practice. The Committee recommends staff meet with the appropriate people to discuss survey issues.

Action Items

- Arrange for subject matter experts/consultants to help with investigations when technical expertise is needed.
- Arrange a meeting with county officials (one county in eastern WA) regarding their ordinance on boundary line adjustments.

MOTION: Mr. Valentine moved / Mr. Parker seconded to accept the Practice Committee Report with embedded action items.
Motion passed.

MOTION: Mr. Valentine moved / Mr. Parker seconded to approve arranging a meeting with Stevens County to discuss survey issues.
Motion passed.

6.2 Exam / Qualifications Committee

- Report by Scott Valentine, PLS, Chair
Mr. Valentine reported the Committee reviewed applications for comity licensure.

Mr. Valentine reported the Committee is working toward creating standards for evaluating structural experience. Discussion was also held regarding the rigors of the lateral portion of the national structural exam. Discussions will continue for both topics.

MOTION: Mr. Norman moved / Mr. Shrope seconded to accept the Exam Qualifications Committee Report.
Motion passed.

6.3 Survey Committee

- Reported by Mel Garland, PLS, Chair

Mr. Garland reported the Committee discussed WSDOT practices and operations, direct supervision, and computer based testing for the two-hour state specific land surveyor exam.

Mr. Garland further reported the first two complaints regarding hydrographic surveying have been received by board staff. The Committee recommends setting up workshops with industry experts to learn how best to address these complaints.

Action Item

- Create workshop with industry associations about hydrographic surveying. Put Q& A on website, respond to comments as needed.

6.4 Structural Committee

Reported by Dan Parker, PE, Chair

Mr. Parker reported the Committee discussed topics related to the Memorandum of Understanding (MOU) between the architect and engineer boards and how the professions interact. Discussions will be on-going and no formal actions or decisions have been taken at this time. There are also topics awaiting discussion under MOU's with the landscape architect and geologist boards.

6.5 Executive Committee

Reported by Stephen Shrope, PE, SE, Board Chair

Mr. Shrope reported the Committee reviewed the budget, fund balance, and fees status. He reported the legislature has yet to transfer the approved \$1.9M from the board account.

The two-hour state specific land surveyor exam is moving towards computer based testing (CBT); discussions are ongoing regarding requirements and specifications for CBT administration.

Personnel issues were also discussed including staff position reallocations, division reorganization, and strategies to replace staff who will be retiring within the next year. Mr. Shrope welcomed Randy Garcia, Investigator 2 to the staff.

The Committee discussed RCW 15.09 and WAC 332.130 regarding rules of professional conduct. No action was taken.

Mr. Shrope opened discussion regarding board member signatures on PE and PLS certificates.

MOTION: Mr. Shrope moved to pre-print board member signatures on PE and PLS wall certificates.

Motion withdrawn:

Board members and staff discussed the current signature process for wall certificates as well as potential impacts of any proposed changes. Mr. Shrope withdrew the motion as the proposal did not receive strong support from board members.

7. Old Business

- 7.1 Board spring workshop update
The spring workshop has been scheduled for May 8 and 9 at Campbell's Hotel in Chelan, WA. This is intended to be an information sharing and brainstorming session. Associations will have representation present, and Ed Huston, PE, SE is on the agenda to deliver a presentation May 9.

7.2 *Action Items from past meetings (consent item)*

8. New Business

8.1 *Board correspondence (consent item)*

8.2 Action Items from this meeting.

- Practice Committee
 - Arrange a meeting with Stevens County regarding their ordinance on boundary line adjustments.
 - Arrange for subject matter experts/consultants to help with investigations when technical expertise is needed.
- Surveying Committee
 - Create workshop with industry associations about hydrographic surveying so we know how to address. Put Q& A on website, respond to comments as needed.
- Board Meeting
 - Information gathering and summary regarding self-reporting when renewing license.
 - Present draft policy (potential WAC) clarifying structural experience.
 - Bring two mock-up wall certificates to May workshop and summarize potential workload effects of potential modifications.
 - Follow up with Governor's office & see if they need assistance with upcoming Board vacancies.
 - Check listserv: make sure board members are signed up.

- 8.2 Appointment of Nomination Committee
Mr. Garland, Mr. Parker, and Mr. Shrope will serve on the Nomination Committee to manage nominations for committee, chair, and vice-chair turnover for the 2014 – 2015 year.

- 8.4 Approval of proposed meeting calendar for July – December 2014
The calendar for July – December 2014 was approved.

9. Other Business

9.1 *Board Outreach Activities (consent item)*

9.2 2014 NCEES Annual Meeting, Seattle

As the host board, board members and staff are invited to participate in the 2014 NCEES Annual Meeting. Some attendees will be funded by NCEES, and some by the board's account.

10. Next Committee and Annual Board Meetings

10.1 Date: June 18 & 19, 2014

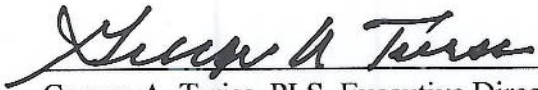
Location: Radisson Hotel
SeaTac, WA

10.2 Special agenda items

- Election of Officers
- Appointments to board committees

11. Adjournment

Respectfully submitted:


George A. Twiss, PLS, Executive Director

Minutes Approved: 6/19/14

Minutes Distributed: 6/20/14